

# PATENT COOPERATION TREATY

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# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

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Date of mailing  
(day/month/year) see form PCT/ISA/210 (sheet 2)

Applicant's or agent's file reference  
see form PCT/ISA/220

## FOR FURTHER ACTION

See paragraph 2 below

International application No.  
PCT/EP2005/050013

International filing date (day/month/year)  
1/4/05

Priority date (day/month/year)  
1/30/04

International Patent Classification (IPC) or both national classification and IPC  
F16K31/528, F02B37/18, F02B37/013

Applicant

ROBERT BOSCH GMBH

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/

Authorized officer

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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/EP2005/050013

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2,3,7-9	YES
	Claims	1,4-6	NO
Inventive step (IS)	Claims		YES
	Claims	1-9	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations:

see supplemental sheet

**10/588090**

**IAP5 Rec'd PCT/PTO 27 JUL 2006**

Re Section V.

1 Reference is made to the following document:

D1 : EP 0 684 414 A (TAIMEI KINZOKU KOGYO CO., LTD) 29.

November 1995 (11-29-1995)

2 INDEPENDENT CLAIM 1

2.1 The present application does not satisfy the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel within the meaning of Article 33(2) PCT.

2.2 Document D1 (cf. Figures 4-6) discloses (the references in parentheses relate to this document):

A device (1) for operating a control element (10), which has a surface (16) by which a line (28) conveying a gaseous medium may be unblocked or closed, the control element (10) operable by the device (1) being movable with the aid of an actuator, a transmission element (14) being accommodated on a final controlling element (20) of the actuator, the transmission element being guided on a support element (11, 17) that can swivel about a joint position (18), and the transmission element causing a slotted lever (11, 13) to swivel in order to actuate the control element (16).

3 DEPENDENT CLAIMS 2-9

Claims 2-9 contain no features that, in combination with the features of any claim to which they relate, satisfy the PCT requirements with regard to novelty and inventive step. The additional features of Claims 2-9 are either [known] from D1 (Claims 4-6) or relate to simple design measures (Claims 2, 3, 7, 8, and 9). One skilled in the art would utilize these features in a simple manner to an

equivalent effect, and without an inventive step, to arrive at a device according to one of Claims 2-9.

4. Industrial Applicability (Article 33(4) PCT):

The subject matter of Claims 1-9 is producible and usable within the meaning of Article 33 (4) PCT.